

91st Legislative Session – 2016

Committee: House State Affairs

Friday, February 19, 2016

P - Present
E - Excused
A - Absent

Roll Call

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chairman, Representative Gosch.

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 17, 2016

Moved by: Stevens
Second by: Mickelson
Action: Prevailed by voice vote.

MOTION: TO TABLE HB 1219

Moved by: Haggard (Don)
Second by: Langer
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Bartling, Bolin, Haggard (Don), Hawley, Langer, Mickelson, Munsterman, Solum, Stevens, Verchio, Wink, Gosch

Excused: Westra

HB 1190: enhance customer convenience in firearms transactions, improve public safety, and provide for the issuance of an additional concealed pistol permit.

Presented by: Representative Mickelson
Proponents: Matt Konenkamp, Governor's Office
Eric Matt, SD Fire Arms Association
Staci Ackerman, South Dakota Sheriffs Association
Teresa Bray, Secretary of State

Rick Miller, Department of Public Safety

MOTION: AMEND HB 1190

1190yb

On the previously adopted amendment (1190ya), in subdivision (5) of Section 7, delete "sixty" and insert "seventy" and after "pistol" delete "which shall be distributed fifty percent to the sheriff and fifty percent" and insert ". Thirty dollars of the fee shall be distributed to the sheriff, thirty-four dollars shall be distributed to the Department of Public Safety, and six dollars".

On the previously adopted amendment (1190ya), in Section 9, in the second sentence, delete "thirty" and insert "seventy" and after "Check" insert "prior to the renewal of the permit". In the third sentence, delete everything after "distributed" and insert "as set forth in subdivision (7) of section 5 of this Act." and delete the last line of the paragraph.

On the previously adopted amendment (1190ya), in Section 11, delete the second and third paragraphs and insert:

"Upon such occurrence, the permit holder shall immediately return the gold card or enhanced concealed pistol permit to the county sheriff of the permit holder's county of residence. If the permit has not been returned, upon learning that a permit holder is ineligible for a gold card or enhanced permit for any violent crime or for a crime punishable by more than one year of incarceration, the sheriff of the permit holder's county of residence shall secure the possession and return of the gold card or enhanced permit forthwith. For any other disqualifying offense set forth above the sheriff of the permit holder's county of residence shall secure the possession and return of the gold card or enhanced permit as soon as reasonably possible after being notified of the holders ineligibility. A gold card or enhanced permit holder whose permit has been secured by law enforcement under this section may petition the circuit court for the return of the gold card or enhanced permit if the permit holder believes the gold card or enhanced permit was unlawfully secured. Law enforcement may communicate with federally licensed firearms dealers relative to revoked gold card or enhanced permits."

On the previously adopted amendment (1190ya), in Section 12, delete "Class 2" and insert "Class 1".

On the previously adopted amendment (1190ya), in Section 14, delete the first "Class 2" and insert "Class 1". On the fourth line of Section 14, before "direct" delete "may" and insert "shall". On the fifth line of Section 14, after "return" insert "in compliance with section 11 of this Act".

Moved by: Mickelson

Second by: Langer
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1190 AS AMENDED

Moved by: Mickelson
Second by: Haggar (Don)
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Bartling, Bolin, Haggar (Don), Hawley, Langer, Mickelson, Munsterman, Solum, Stevens, Verchio, Wink, Gosch

Excused: Westra

HB 1224: authorize the Investment Council to enter into an agreement to allow South Dakota residents to participate in an ABLE savings program to support individuals with disabilities.

Presented by: Representative Partridge
Proponents: Matt Clark, South Dakot Investment Company (telephone testimony)
Lisa Stanley, Parents For Autism Insurance Reform In SD
Gloria Pearson, Department of Human Services
Daryl Kilstrom, Community Support Providers of South Dakota
Kitty Kinsman, Lifescape, Rapid City
Terry Dosch, SD Council Mental Health Centers, Pierre

MOTION: DO PASS HB 1224

Moved by: Stevens
Second by: Bartling
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Bartling, Bolin, Haggar (Don), Hawley, Langer, Mickelson, Munsterman, Solum, Stevens, Verchio, Wink, Gosch

Excused: Westra

HB 1227: establish the South Dakota Government Accountability Committee.

Presented by: Representative Hawks

MOTION: DO PASS HB 1227

Moved by: Hawley
Second by: Bartling
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER HB 1227 TO THE 41ST LEGISLATIVE DAY

Moved by: Verchio
Second by: Gosch
Action: Prevailed by roll call vote. (10-2-1-0)

Voting Yes: Bolin, Haggar (Don), Langer, Mickelson, Munsterman, Solum, Stevens, Verchio, Wink, Gosch

Voting No: Bartling, Hawley

Excused: Westra

HB 1240: adopt a compact for a balanced budget and to declare an emergency.

Presented by: Representative Haugaard
Proponents: Chip DeMoss, Compact for a Balanced Budget, Houston TX (Handouts: 1,2,3,&4)
Opponents: Cindy Flakoll, Concerned Women For America Legislative Action Committee
Kitty Werthmann, South Dakota Eagle Forum

MOTION: DEFER HB 1240 TO THE 41ST LEGISLATIVE DAY

Moved by: Bolin
Second by: Gosch
Action: Prevailed by roll call vote. (10-2-1-0)

Voting Yes: Bartling, Bolin, Hawley, Langer, Mickelson, Munsterman, Solum, Stevens, Wink, Gosch

Voting No: Haggar (Don), Verchio

Excused: Westra

MOTION: ADJOURN

Moved by: Stevens
Second by: Gosch
Action: Prevailed by voice vote.

Colleen Hunt
Committee Secretary

Brian G. Gosch, Chair